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Sheet	1	of	24
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Application Number	10/733,970
Filing Date	December 11, 2003
First Named Inventor	Philip E. Eggers
Art Unit	3739
Examiner Name	
Attorney Docket Number	CAL 2-018

## U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

**Examiner  
Signature**

Roy D. Gibson

Date Considered

8/18/05

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 2

of 24

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		Number-Kind Code <sup>2</sup> (if known)			
RDB	A20	US- 5,468,210	11-21-1995	Matsui, et al.	
	A21	US- 5,433,708	07-18-1995	Nichols, et al.	
	A22	US- 5,429,583	07-04-1995	Paulus, et al.	
	A23	US- 5,425,731	06-20-1995	Daniel, et al.	
	A24	US- 5,251,645	10-12-1993	Fenn	
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	A38	US- 4,520,249	05-28-1985	Czerlinski	

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Sheet **3** of **24****U. S. PATENT DOCUMENTS**

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<i>RLG</i>	A39	US- 4,369,345	01-18-1983	Czerlinski	
	A40	US- 4,323,056	04-06-1982	Borrelli, et al.	
	A41	US- 4,138,998	02-13-1979	Nowogrodzki	
	A42	US- 3,948,785	04-06-1976	Berchtold	
	A43	US- 3,837,910	09-24-1974	Van der Laan, et al.	
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	A45	US- 3,252,913	05-24-1966	Van Gils, et al.	
✓	A46	US- 2,958,664	11-01-1960	Vassiliev, et al.	
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<i>RLG</i>	A47	EP 0 970 724 A2	12-01-2000	Williams		
	A48	0 459 520 A2	04-12-1991	Saito, et al.		
	A49	0459 520 A3	04-12-1991	Saito		
	A50	0152963	08-28-1985	Kraus		✓
	A51	201020127 A	01-26-1983	Bresler, et al.		
✓	A52	DE 34 06 565 C 2	04-27-1995	Kraus		✓

Examiner  
Signature*Roy D. Gibson*Date  
Considered*8/18/05*

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		First Named Inventor	Philip E. Eggers
		Art Unit	3739
		Examiner Name	
Sheet 5	of 24	Attorney Docket Number	CAL 2-018

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
Roy	A101	MATSUI, T., et al., "A novel ferromagnetic thermo-stent for plaque stabilization that self-regulates the temperature." IEEE Trans. Biomed Eng., 49 (6): 621-623 (2002).	
	A102	Magnetic Sensors and Magnetometers, edited by P. Ripka, Artech House, Inc., Norwood, MA pp 75-127, and 380-391 (2001).	
	A103	(13) Falk, et al., "Hyperthermia in Oncology" Int. J. Hyperthermia, 17 (1): 1-18 (2001).	
	A104	Janetski, et al., "Immunization of cancer patients with autologous cancer-derived heat shock protein gp96 preparations: A pilot study." Int. J. Cancer ii: 232-238 (2000).	
	A105	Yedavelli, S.P.K., et al., "Preventive and therapeutic effect of tumor derived heat shock protein, gp96, in an experimental prostate cancer model." Int. J. Molecular Med. 4:	
	A106	Cetas, et al., "A Ferrite Core Metallic Sheath Thermoseed for Interstitial Thermal Therapies", IEEE Trans. On Biomed. Eng., 45 (1) (1998).	
	A107	Fenn, et al., "An Adaptive Microwave Phased Array for Targeted Heating Of Deep Tumors In Intact Breast: Animal Studies Results" Int. J. Hyperthermia, Vol. 15, No. 1, pp 45-61	
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	A109	Paulus, et al., "Thermal Ablation of Canine Prostate Using Interstitial Temperature Self-Regulating Seeds: New Treatment for Prostate Cancer", J. of Endourology 11 (4)s: 295-3	
▼	A110	(7) Arkin, H. et al., "Recent Development in Modeling Heat Transfer in Blood Perfused Tissue," IEEE Transactions on Bio-Medical Engineering 41 (2) 97-107 (1994).	

Examiner Signature	<i>Roy D. Gibson</i>	Date Considered	8/18/05
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RWJ	A111	Feldmann, H.J., et al., "Deep regional hyperthermia comparison between the annular phased array and the Sigma-60 applicator in the same patients." Int. J. Radiation. Oncol. Biol. Phys. 26: 111-116 (1993).	
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	A115	(7) Brezovich, et al., "Practical Aspects of Ferromagnetic Thermoseed Hyperthermia," Radiologic Clinics of North America 27:589-682 (1989).	
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✓	A120	(5) R. A. Holman, Letter "Hyperthermia and Cancer", Lancet, pp. 1027-1029 (May 3, 1975).	

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RDA	B1	US- 6,497,647	12-24-2002	Tucker	
	B2	US- 6,197,051	03-06-2001	Zhong	
	B3	US- 5,810,888	09-22-1998	Fenn	
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Roy	B5	Niemz, M.H., Laser-Tissue Interactions, Fundamentals and Applications Springer, pp. 77-80 (2002). A copy of the cited pages, along with a copy of the entire references section of the book is enclosed to enable the Examiner to identify citations in the article.	
	B6	(13) Falk, et al., "Hyperthermia In Oncology", Int. J. Hyperthermia 17: 1-18 (2001).	
	B7	(11) Kong, et al., "Efficacy of Liposomes and Hyperthermia in a Human Tumor Xenograft Model: Importance of Triggered Drug Release", Cancer Research 60: 6950-6957 (2000).	
	B8	(12) Chung, J.E., et al., "Thermo-Responsive Drug Delivery From Polymeric Micelles Constructed Using Block Copolymers of Poly (N-isopropylacrylamide) and Poly (butylmethacryla	
	B9	Henriques, F. C. "Studies of Thermal Injury: V. The predictability and the significance of thermally induced rate processes leading to irreversible epidermal injury." Archives of Pathology 4: 489-502 (1947).	
	A126		
	A127		
	A128		
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	A130		

Examiner Signature	Roy D. Gibson	Date Considered	8/18/05
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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**Complete if Known**

Application Number	10/733,970
Filing Date	December 11, 2003
First Named Inventor	Philip E. Eggers
Art Unit	3739
Examiner Name	
Attorney Docket Number	CAL 2-018

Sheet	10	of	24
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Roy	C6	Ito, A., Shinkai, M., Honda, H., Wakabayashi, T., Yoshida, J., and Kobayashi, T., "Augmentation of MHC Class I Antigen Presentation via Heat Shock Protein Expression by Hypert	
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R.Dy	C26	Melcher, A. Todryk, S, Hardwick, N., Ford, M., Jacobson, M., Vile, R.G., "Tumor Immunogenicity is Determined by the Mechanism of Cell Death via Induction of Heat Shock Protein	
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	C32	Benndorf, et al., "Cellular Stress Response: Stress Proteins - Physiology and Implications for Cancer", Recent Results in Cancer Research, 143: 129-144 (1997).	
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✓	C35	Peng, et al., "Purification of immunogenic heat shock protein 70-peptide complexes by ADP-affinity chromatography" J. of Imm. Meth. 204: 13-21 (1997).	

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RDy	C36	Freeman, et al., "Immune system in suicide-gene therapy" (Commentary) The Lancet, 349: 2-3 (Jan 4, 1997).	
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PWJ	C46	(31) Columbano, A., "Cell Death: Current Difficulties in Discriminating Apoptosis From Necrosis in the Context of Pathological Processes in Vivo", Journal of Cellular Biochemi	
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RDG	C56	Udono, et al., "Heat shock protein 70-associated peptides elicit specific cancer immunity", J. of Exp. Med. 178: 1391-1396 (1993). [ABSTRACT ONLY]	
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✓	C65	(30) Lindquist, S., "The Heat Shock Response." Annu. Rev. Biochem., 55: 1151-91 (1986).	

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/733,970
		Filing Date	December 11, 2003
		First Named Inventor	Philip E. Eggers
		Art Unit	3739
		Examiner Name	
Sheet 17 of 24	Attorney Docket Number	CAL 2-018	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
RJG	C66	Srivastava, et al., "Tumor Rejection Antigens of Chemically Induced Sarcomas of Inbred Mice", Proc. Natl. Acad Sci USA 83 (10) 3407-3411 (1986).	
	C67	Tomasovic, et al., "Heat stress proteins and experimental cancer metastasis", Int. J. Hyperthermia 2(3) 253-266 (1986).	
	C68	Li, "Thermal Biology and Physiology in Clinical Hyperthermia: Current Status and Future Needs", Cancer Rev. (suppl.) 44: 4886s - 4893s (1984).	
Y	C69	(14) Ritossa, "A New Puffing Pattern Induced By Temperature Shock and DNP in Drosophila" Experientia, 18; 571-573 (1962).	

Examiner Signature	<i>Roy D. Gibson</i>	Date Considered	8/18/05
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Application Number	10/733,970
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**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
RWJ	D1	US- 6,319,251	11-20-2001	Tu, et al.	
	D2	US- 6,206,916	03-27-2001	Furst	
	D3	US- 6,203,508	03-20-2001	Ren, et al.	
	D4	US- 6,200,307	03-13-2001	Kasinkas, et al.	
	D5	US- 6,200,259	03-13-2001	March	
	D6	US- 6,197,296	03-06-2001	Davies, et al.	
	D7	US- 6,196,996	03-06-2001	Tierstein	
	D8	US- 6,192,095	02-20-2001	Sekine, et al.	
	D9	US- 6,190,404	02-20-2001	Palmaz, et al.	
	D10	US- 6,190,379	02-20-2001	Heuser, et al.	
	D11	US- 6,190,355	02-20-2001	Hastings	
	D12	US- 6,190,302	02-20-2001	Mosseri, et al.	
	D13	US- 6,187,037	02-13-2001	Satz	
	D14	US- 6,183,409	02-06-2001	Armini	
	D15	US- 6,179,867	01-30-2001	Cox	
	D16	US- 6,179,824	01-30-2001	Eggers, et al.	
	D17	US- 6,179,789	01-31-2001	Tu, et al.	
	D18	US- 6,176,872	01-23-2001	Miksza	
	D19	US- 6,165,209	12-26-2000	Patterson, et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>

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**Complete if Known**

Application Number	10/733,970
Filing Date	December 11, 2003
First Named Inventor	Philip E. Eggers
Art Unit	3739
Examiner Name	
Attorney Docket Number	CAL 2-018

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**U. S. PATENT DOCUMENTS**

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		Number-Kind Code <sup>2</sup> (if known)			
RWJ	D20	US- 5,078,736	01-07-1992	Behl	
	D35	US- 6,319,242	11-20-2001	Patterson, et al.	
	D36	US- 6,193,669	02-27-2001	Degany, et al.	
	D37	US- 5,830,179	11-03-1998	Mikus, et al.	
	D38	US- 5,824,005	10-20-1998	Motamedi, et al.	
	D39	US- 5,527,334	06-18-1996	Stack, et al.	
	D40	US- 5,098,429	03-24-1992	Sterzer	
	D41	US- 5,087,256	02-11-1992	Taylor, et al.	
	D42	US- 5,057,095	10-15-1991	Fabian	
	D43	US- 4,979,948	12-25-1990	Geddes, et al.	
	D44	US- 4,979,518	12-25-1990	Itoh, et al.	
	D45	US- 4,807,620	02-28-1989	Strul, et al.	
	D46	US- 4,695,713	09-22-1987	Krumme	
		US-			
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		Country Code <sup>3</sup> Number * Kind Code <sup>2</sup> (if known)				
RWJ	D21	EP 1 036 574 A1	09-20-2000	Diamantopoulos		
	D22	0 392 837	10-17-1990	Geddes, et al.		
	D23	WO 00/57818	10-05-2000	Hnojewy, et al		

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Signature

Roy D. Gibson

Date  
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		First Named Inventor	Philip E. Eggers		
		Art Unit	3739		
		Examiner Name			
Sheet	20	of	24	Attorney Docket Number	CAL 2-018

NON PATENT LITERATURE DOCUMENTS			
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Roy	D24	(48) "Drug-Coated Stents Poised for Growth", Cardiovascular Device Update 7: 8-10 (September 2001).	
	D25	(47) Simonsen, "Percutaneous intervention arena still expanding for heart disease." Cardiovascular Device Update 7 (5): 1-7 (May 2001).	
	D26	(18) Holmes, Jr., "In-Stent Restenosis", Reviews in Cardiovascular Medicine, 2: 115-119 (2001).	
	D27	(53) Stefanadis, C., et al., "Hyperthermia of Arterial Stented Segments by Magnetic Force: A New Method to Eliminate Intimal Hyperplasia", Journal of the American College of Cardiology 37 (2) Supp. A: 2A-3A (2001).	
	D28	(49) Thury, A., et al., "Initial Experience With Intravascular Sonotherapy For Prevention of In-Stent Restenosis Safety and Feasibility", J. of Am. College of Cardiology 37 (2) Supplement A (2000). [Meeting Abstract]	
	D29	Neschis, et al., "Thermal Preconditioning Before Rat Arterial Balloon Injury", Arterioscler. Thromb. Vasc. Biol. 18: 120-126 (1998).	
	D30	Lafont, et al., "Remodelling: therapeutic opportunities", Semin. Intervent. Cardiol. 2: 177-182 (1997).	
	D31	Mukherjee, et al., "Association of Antibodies to Heat-Shock Protein-65 with Percutaneous Transluminal Coronary Angioplasty and Subsequent Restenosis", Lancet 75 (2): 258-260 (1996).	
	D32	(10) Meyer, et al., "Stent Wire Cutting During Coronary Directional Arterectomy", Clin. Cardiol. 16: 450-452 (1993).	
	D33	(17) Kaplan, et al., "Healing After Arterial Dilatation With Radiofrequency Thermal and Nonthermal Balloon Angioplasty Systems", Journal of Investigative Surgery 6: 33-52 (199	

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Sheet 21	of 24	Attorney Docket Number	CAL 2-018

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R D	D34	(19) Bowerman, et al., "Disruption of a Coronary Stent During Artherectomy for Restenosis", Catheterization and Cardiovascular Diagnosis 24: 248-251 (1991).	

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RWJ	E1	(24) Shui, C., and Scutt, A., "Mild Heat Shock Induces Proliferation, Alkaline Phosphatase Activity, and Mineralization in Human Bone Marrow Stromal Cells and Mg-63 Cells In Vitro." Journal of Bone and Mineral Research 16: 731-741 (2001).	
	E2	Meyer, R.A., et al., "Delayed union of femoral fractures in older rats: decreased gene expression." BMC Musculoskeletal Disorders 2: 2, available at <a href="http://www.biomedcentral.com/1471-2474/2/2">http://www.biomedcentral.com/1471-2474/2/2</a> (2001).	
	E3	(25) Huang, C.-C., Chang, W.H., and Liu, H.-C., "Study on the Mechanism of Enhancing Callus Formation of Fracture by Ultrasonic Stimulation and Microwave Hyperthermia." Biomed. Eng. Appl. Basis Comm. 10: 14-17 (1998).	
	E4	Farley, D., "New Ways to Heal Broken Bones", FDA Consumer Mag. at <a href="http://www.fda.gov/foia/features/396_bone.html">http://www.fda.gov/foia/features/396_bone.html</a> (1996).	
	E5	Ohashi, "The effect of drilling parameters on bone", J. of Materials Sci.: Materials in Medi, 5:225-231 (1994).	
	E6	(23) Leon, et al., "Effects of Hyperthermia on Bone. II. Heating of Bone in vivo and Stimulation of Bone Growth." Int. J. Hyperthermia 9: 77-87 (1993).	
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	E8	Giffin, D.J., "The Effect of Power Instrumentation on Bone Healing" J. of Foot Surg. 20 (2); 81-83 (1981).	
✓	E9	Jacobs et al., "The Effect of Heat on Bone Healing", Arch. Surg., 104; 687-691 (1972).	

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Roy	F1	(28) Zugel, U., Sponaas, A.M., Neckermann, J., Schoel, B., and Kaufmann, S. H.E., "gp96-Peptide Vaccination of Mice Against Intracellular Bacteria." Infection and Immunity, 69: 4164-4167 (2001).	
	F2	Sponaas, et al., "Immunization with gp96 from Listeria monocytogenes - Infected Mice is Due to N-Formylated Listerial Peptides", J. of Immun. 167:6480-6486 (2001).	
	F3	Fan, et al., "Recognition of a Sequestered Self Peptide by Influenza Virus - Specific CD8+ Cytolytic T Lymphocytes", J. of Imm. 164: 1669-1680 (2000).	
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	F5	Rosenkrands, et al., "Differential T-Cell Recognition of Native and Recombinant Mycobacterium tuberculosis GroES", Infection and Imm. 67 (11): 5552-5558 (1999).	
	F6	(27) Heikema, A., Agsteribbe, E., Wilschut, J., Huckriede, A., "Generation of heat shock protein-based vaccines by intracellular loading of gp96 with antigenic peptides." Immunology Letters, 57: 69-74. (1997)	
✓	F7	(26) Neiland, Thomas J. F., M. C. Agnes A. Tan, Monique Monnee-van Muijen, Frits Koning, Ada M. Kruisbeek, and Grada M. van Bleek, "Isolation of an immunodominant viral peptide that is endogenously bound to the stress protein gp96/GRP94." Proc. Nat'l Acad. Sci. USA, 93: 6135-6139 (1996).	

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Attorney Docket Number	CAL 2-018

Sheet 24 of 24**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
<i>RUG</i>	G1	US- 5,494,035	02/27/1996	Leuthold, et al.	
	G2	US- 5,690,847	11/25/1997	LaValley, et al.	
	G3	US- 5,611,798	03/18/1997	Eggers	
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	G10	US- 4,364,390	12/21/1982	Shaw	
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	G15	US- 4,074,249	02/14/1978	Minasy	
	G16	US- 3,587,583	06/28/1971	Greenberg	
<input checked="" type="checkbox"/>	G17	US- 3,422,816	01/21/1969	Robinson, et al.	
		US-			
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>4</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

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Signature*Roy D. Gibson*Date  
Considered*8/18/05*

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